John C. Gorman, #91515
GORMAN & MILLER, P.C.
210 North Fourth Street, Suite 200
San Jose, CA. 95112
(408) 297-2222 (phone)
(408) 297-2224 (fax)

Attorneys for Plaintiff
AUREFLAM CORPORATION

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

AUREFLAM CORPORATION, a California corporation; Plaintiff, v. HIEP PHAN, individually and dba PHO HOA HIEP; LE HONG, individually and dba PHO HOA HIEP; and DOES 1 through 10, inclusive; Defendants.	Case No. 08-CV-00538-LAB-NLS MOTION FOR ENTRY OF DEFAULT OF HIEP PHAN, INDIVIDUALLY AND DBA PHO HOA HIEP

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

Please enter the default of defendant Hiep Phan, individually and dba Pho Hoa Hiep, for failure to plead or otherwise defend as provided by Federal Rule of Civil Procedure 55(a).

This defendant's failure to plead or otherwise defend is evidenced by the Proof of Service of Summons and Complaint dated

April 9, 2008 and filed in this action on May 5, 2008 (PACER Doc. #5) and by the absence of an answer or other response by said defendant.

GORMAN & MILLER, P.C.

By ______________________

JOHN C. GORMAN
Attorneys for Plaintiff
Aureflam Corporation

PROOF OF SERVICE

I, Jenna Cresta, declare as follows:

I am employed in the City of San Jose, County of Santa Clara, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 210 North Fourth Street, Suite 200, San Jose, California 95112.

On the date set forth below, I caused the following document(s):

MOTION FOR ENTRY OF DEFAULT OF HIEP PHAN, INDIVIDUALLY AND DBA PHO HOA HIEP

to be served on interested parties by the following manner:

[X] (**BY MAIL**) By placing a true copy of said document(s), enclosed in sealed envelope[s] addressed as stated below, with first class postage thereon fully prepaid, for collection and mailing on the date set forth herein following ordinary business practices, in the United States Mail, San Jose, California.

[ ] (**BY HAND DELIVERY**) By causing a true copy thereof, enclosed in a sealed envelope, to be delivered by hand to the parties indicated below.

[ ] (**BY OVERNIGHT DELIVERY**) By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges prepaid, to be delivered to local Federal Express Office for delivery to the parties indicated below.

[ ] (**BY FACSIMILE TRANSMISSION**) By transmitting a true copy thereof by facsimile transmission from facsimile No. (408) 297-2224 to the parties at the facsimile number(s) listed below.

Le Hong
Individually and dba Pho Hoa Hiep
6947 Linda Vista Road, Suite H
San Diego, CA 92111

Hiep Phan
Individually and dba Pho Hoa Hiep
6947 Linda Vista Road, Suite H
San Diego, CA 92111

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 5, 2008 at San Jose, California.

Jenna Cresta